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769-236 Div. 2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: McMahon

Customer No. 29540

Serial No.: 09/915,100

For: **METHODS OF MAKING SLIDE-ZIPPERED RECLOSABLE  
PACKAGES ON HORIZONTAL FORM-FILL-SEAL MACHINES**

Filed: July 25, 2001

Examiner: Sipos

Art Unit: 3721

Pitney Hardin LLP  
7 Times Square  
New York, New York 10036-7311

**PETITION UNDER RULE 78(a)(3) TO ACCEPT  
UNINTENTIONALLY DELAYED PRIORITY CLAIM**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

Patentee respectfully petitions for the acceptance of an unintentionally delayed

I hereby certify that this correspondence is being deposited  
with the United States Postal Service as first class mail in  
an envelope addressed: Commissioner of Patents and Trademarks,  
P.O. Box 1450, Alexandria, VA 22313-1450 on July 27, 2004

Ronald E. Brown

Attorney



Signature

July 27, 2004

Date of Signature

The Commissioner is hereby authorized to charge any additional  
fees which may be required, or credit any overpayment to  
Account No. 50-1145, Order No. 099998.000069.

08/03/2004 HALI11 00000082 501145 09915100

01 FC:1454 30.00 DA 1300.00 OP

priority claim to include U.S. patent application serial no. 09/631,179, filed August 2, 2000 and which was pending on July 25, 2001 (the filing date of the present application), as described in the enclosed Second Rule 312 Amendment (which supersedes the Rule 312 Amendment of July 15, 2004).

It is respectfully submitted that the enclosed Rule 312 Amendment provides the reference to the prior-filed application under 35 U.S.C. §120, as required by Rule 78(a)(3)(i).

The surcharge set forth in Rule 17(t) is enclosed as required by Rule 78(a)(3)(ii). Please charge any deficiencies or credit any overpayment to Deposit Account No. 50-1145, Order No. 099998.000069.

In accordance with Rule 78(a)(3)(iii), patentee states that the entire delay between the date the claim was due under Rule 78(a)(2)(ii) and the date the claim was filed was unintentional.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gerald Levy", with a stylized flourish at the end.

Gerald Levy  
Registration No. 24,419

Ronald E. Brown  
Registration No. 32,200

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(212) 297-5800



169-236 Div. 2 (ITW 8673.02)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: McMahon et al.

Serial No.: 09/915,100

Filed: July 25, 2001

For: **METHODS OF MAKING SLIDE-ZIPPERED RECLOSABLE  
PACKAGES ON HORIZONTAL FORM-FILL-SEAL MACHINES**

Customer No. 29540

Art Unit: 3721

Examiner: John Sipos

Pitney Hardin LLP  
7 Times Square  
New York, New York 10036-7311

**SECOND AMENDMENT UNDER RULE 312**

Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

Prior to the payment of the Base Issue Fee, please amend the above-identified application  
as follows:

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with the United States Postal Service as first class mail in  
an envelope addressed: Commissioner of Patents and Trademarks,  
P.O. Box 1450, Alexandria, VA 22313-1450 on July 27, 2004

Ronald E. Brown

Attorney

  
Signature

July 27, 2004

Date of Signature

The Commissioner is hereby authorized to charge any additional  
fees which may be required, or credit any overpayment to  
Account No. 50-1145, Order No. 099998.000069.

Amendments to the Specification:

Page 1, line 6, after Title of the Invention, please add the paragraph as follows:

**--CROSS REFERENCE TO RELATED APPLICATIONS.** This is a division of application serial no. 09/631,179 filed August 2, 2000, which is a division of U.S. Patent Application serial number 09/316,866 filed on May 21, 1999, now U.S. Patent No. 6,138,439.--

REMARKS

This amendment is to clarify that this application is a division of application serial number 09/631,179 filed August 2, 2000 (which was pending on July 25, 2001, the filing date of the present application) and to add the '179 application to the chain of priority of this application.

The Amendment Under Rule 312 dated July 15, 2004 for this application should be disregarded.

A corrected filing receipt is respectfully requested.

It is specifically requested that this data appear on the issued patent.

Respectfully submitted,



Gerald Levy

Registration No. 24,419

Ronald E. Brown

Registration No. 32,200

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